

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Bernard E. Greer,)	
)	C/A No. 3:10-1390-MBS
Plaintiff,)	
)	
vs.)	
)	OPINION AND ORDER
University of South Carolina,)	
)	
Defendant.)	
_____)	

Plaintiff Bernard E. Greer is employed by Defendant University of South Carolina as an assistant professor of English. Plaintiff filed a complaint on May 27, 2010, alleging that he has been subjected to a hostile work environment and discriminated against because of his age and gender. Plaintiff brings this claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 200e et seq. (Title VII); the Age Discrimination in Employment Act of 1967, as amended, 26 U.S.C. §§ 621 et seq. (ADEA); and the Equal Pay Act, 29 U.S.C. §§ 206(d) et seq. (EPA). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Joseph R. McCrorey for pretrial handling.

Defendant filed a motion to dismiss and for summary judgment on August 5, 2011. Plaintiff filed a response in opposition to Defendant's motion on September 21, 2011, to which Defendant filed a reply on October 10, 2011. On January 20, 2012, the Magistrate Judge issued a Report and Recommendation in which he recommended that Defendant's motion be granted. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has

no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court may accept, reject, or modify, in whole or in part, the Report and Recommendation or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

The court has thoroughly reviewed the record. The court adopts the Report and Recommendation and incorporates it herein by reference. Defendant’s motion to dismiss and for summary judgment (Entry 25) is **granted**.

IT IS SO ORDERED.

/s/ Margaret B. Seymour

Chief United States District Judge

Columbia, South Carolina

February 8, 2012.